

DECLARATION
AND POWER OF ATTORNEY
ORIGINAL APPLICATION



As below named inventors, we hereby declare that:

Our residence, post office address and citizenship are as stated below next to our names.

We believe we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**POLYPEPTIDES AND POLYNUCLEOTIDES FOR ENHANCING
IMMUNE REACTIVITY TO HER-2 PROTEIN**

the specification of which

- ☐ is attached hereto,
- ☒ was filed on August 3, 2000, as Application Serial No. 09/632,036.
- ☐ and was amended on _____
(if applicable)

We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

We acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

We hereby appoint the following attorney(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

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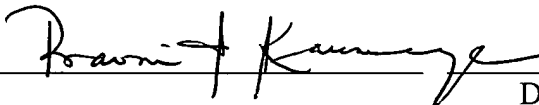
Address all correspondence to CALFEE, HALTER & GRISWOLD, LLP, 800 Superior Avenue, Suite 1400, Cleveland, Ohio 44114.

We hereby declare that all statements made hereon of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor: **PRAVIN T.P. KAUMAYA**

Inventor's

Signature

 Oct 9, 2000
Date

Residence 800 Summertree Lane, Westerville, Ohio 43081

Citizenship U.S.A.

Post Office Address 800 Summertree Lane, Westerville, Ohio 43081

Full Name of second joint inventor: **VERNON C. STEVENS**

Inventor's
Signature

Vernon C. Stevens Oct 9, 2000
Date

Residence 5489 River Forest Road, Dublin, Ohio 43017

Citizenship U.S.A.

Post Office Address 5489 River Forest Road, Dublin, Ohio 43017

Full Name of third joint inventor: **PIERRE L. TRIOZZI**

Inventor's
Signature

Pierre L. Triozzi 10-17-00
Date

Residence 360 West 7th Avenue, Columbus, Ohio 43201

Citizenship U.S.A.

Post Office Address 360 West 7th Avenue, Columbus, Ohio 43201

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF : Kaumaya, et al.
FOR : POLYPEPTIDES AND
POLYNUCLEOTIDES FOR
ENHANCING IMMUNE REACTIVITY
TO HER-2 PROTEIN
SERIAL NO. 60/146,869
FILED August 3, 1999
ATTORNEY DOCKET NO. : 18525/04011



37 C.F.R. 1.27 VERIFIED STATEMENT CLAIMING
SMALL ENTITY STATUS-NONPROFIT ORGANIZATION

Assistant Commissioner for Patents
Washington, D.C. 20231

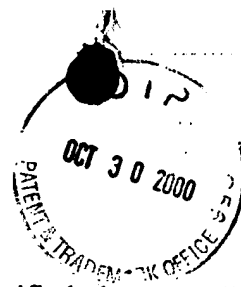
Dear Sir:

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF ORGANIZATION: Ohio State University
ADDRESS: 1960 Kenny Road
Columbus, Ohio 43210-1063

TYPE OF ORGANIZATION

- ☒ UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION
☐ TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501(a) and 501(c)(3))
☐ NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA
(name of state _____)
(citation of statute _____)
☐ WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501(a) and 501(c)(3)) IF LOCATED IN THE UNITED STATES OF AMERICA
☐ WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA IF LOCATED IN THE UNITED STATES OF AMERICA
(name of state _____)
(citation of statute _____)



I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code with regard to the invention entitled:

POLYPEPTIDES AND POLYNUCLEOTIDES FOR ENHANCING
IMMUNE REACTIVITY TO HER-2 PROTEIN

by inventors: Pravin T.P. Kaumaya, Vernon C. Stevens, and Pierre L. Triozzi

described in

- ☐ the specification filed herewith.
☒ application Serial No. 60/146,869, Filed: August 3, 1999
☐ Patent No. _____,
☐ issued _____.

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above identified invention. If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

* Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING

Robin L. Rasor

TITLE IN ORGANIZATION

Director, Technology Licensing

ADDRESS OF PERSON SIGNING

1960 Kenny Road
Columbus, Ohio 43210-1063

SIGNATURE

Robin L. Rasor
Robin L. Rasor

DATE

3 Sept '99